

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
(Charlotte Division)

In re:)	Chapter 7
)	
Anthony Bruer)	Case No. 20-30694
)	
Debtor.)	

OBJECTION TO CLAIM 2 FILED BY WELLS FARGO BANK, N.A.

Cole Hayes, trustee for the estate of the above captioned Chapter 7 bankruptcy (the "Trustee"), requests entry of an order disallowing Claim 2-1 (the "Claim") filed by Wells Fargo Bank, N.A. (the "Bank"). In support of the relief requested, the Trustee respectfully asserts the following:

1. The Claim seeks payment for what appears to be a debt on an open-end or revolving consumer credit agreement.

2. By letter on October 21, 2020, the Trustee requested that the Bank provide the documentation that forms the basis of the Claim within thirty days pursuant to Bankruptcy Rule 3001(c)(3)(B). The Bank did not respond to the Trustee's request.

3. Because the Claim does not include adequate documentation to corroborate the basis of the Claim and because the Bank has failed to come forward with such documentation as required by Bankruptcy Rule 3001(c)(3)(B), the Claim should be disallowed.

4. In the event a response is filed to the foregoing, the Trustee requests that the Bank be precluded from presenting the omitted information pursuant to Rule 3001(c)(2)(D)(i) and that the Bank be taxed with the Trustee's reasonable expenses and attorney's fees pursuant to Rule 3001(c)(2)(D)(ii).

WHEREFORE, the Trustee respectfully requests that the Court enter an order disallowing Claim 2 in its entirety.

Dated: Charlotte, North Carolina
November 25, 2020

/s/ Cole Hayes
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Trustee and attorney for the Trustee